



# Public Housing and Perceptions of Crime in Urban and Suburban Contexts

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## Background & Research Aim

The era of mass incarceration has left around 19 million U.S. adults with felony-level criminal records (Shannon et. al. 2017). While interviewing defendants, most mentioned housing as a significant barrier to reentry, but very few sought public housing or Section 8 vouchers. Given that justice-involved individuals are disproportionately low-income, they could potentially qualify for public housing or subsidized rent. Housing assistance could be extremely beneficial to individuals with a criminal record and those with extensive criminal justice debt as they leave the justice system.

## Research Questions

- How do the two mechanisms of criminal justice involvement operate in tenant screening and eviction proceedings for public housing?
  - Collateral consequences of a criminal record for a defendant and their associates
  - Monetary sanctions and legal financial obligations
- Are these consequences considered by court officials when determining sentences for defendants?
- Do these mechanisms operate differently in urban versus suburban contexts in Minnesota?

## Minnesota Counties Studied

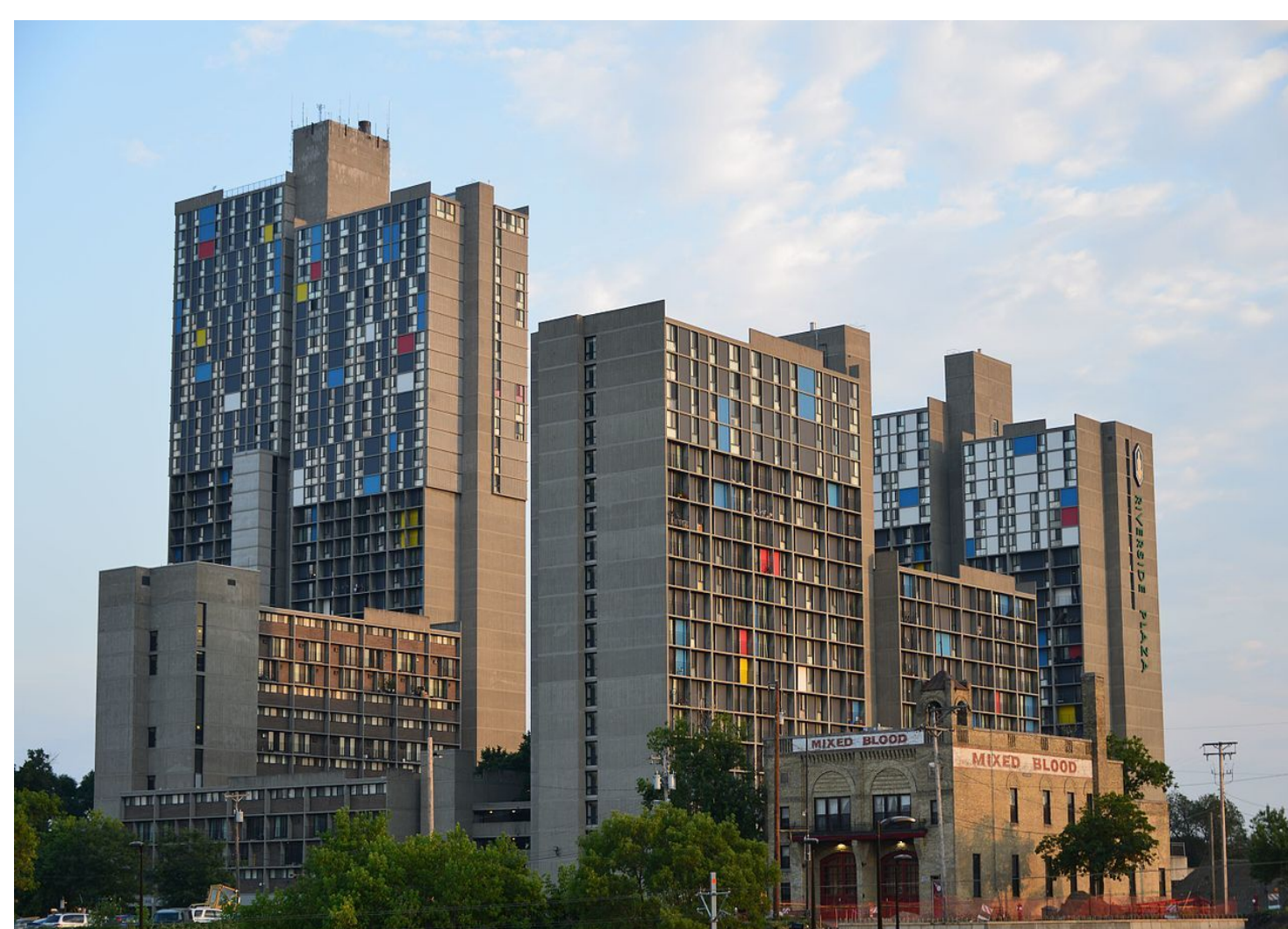
### Dakota County:

Primarily suburban and rural areas. Dakota County is majority white with nice public housing complexes in suburbs like Apple Valley, Rosemount and Eagan.



### Hennepin County:

Contains Minneapolis, the racially diverse urban city being studied.



## Landlords & Justice-Involved Tenants

Some research suggests that landlords remain open to renting to tenants whose criminal convictions are for misdemeanors instead of felonies, or to individuals that have shown signs of rehabilitation on a case-by-case basis (Clark 2007).

In contrast, this quote is from an online forum where landlords can ask for advice from fellow landlords. Here, landlords commonly recommended evicting tenants with records despite having guaranteed rent through Section 8 vouchers.

**If she loses her voucher, start the eviction immediately... Move this tenant on down the road. And screen all applicants, especially Section 8 tenants.**  
David, MN

A defendant that we interviewed participated in a program that gives Section 8 vouchers to felons. The defendant's tax returns had been routinely garnished due to her criminal justice debt and as a result she had been unable to pay some of her bills which negatively impacted her credit score. She discussed the challenges she faced when trying to find a landlord to accept her Section 8 voucher, despite rent being guaranteed.

**I got approved for a Section 8 two years ago. It was a special program that was taking people like me who were felons and were having a hard time. Every place I went to, even though I had a section eight voucher, would not do it...because of my credit...so I lost out on being able to financially afford a place and get back on my feet and get my kids back into my care...**

## Courtroom Observations

In 40 hours of courtroom observations—20 hours in Dakota County and 20 in Hennepin County—housing was rarely ever mentioned. A defendant's housing circumstances were primarily only discussed if they were experiencing homelessness as a bid by the defense attorney to get lower fines and fees. Throughout my observations, barriers to housing resulting from sentences were never considered in court.

## Current Law & Policy

- Federal law:
  - Convictions that result in lifetime sex-offender registration and manufacturing methamphetamine on public housing grounds result in a lifetime ban from residing in public housing
  - In 2016, HUD determined that current criminal history screening has discriminatory effects for African Americans and minority populations. A directive followed mandating that:
    - Arrests no longer meet the burden of proof for increasing or maintaining community safety
    - Convictions alone also do not meet this burden. If convictions are cited as the reason for screening out a tenant, there must be substantive evidence that this will increase community safety
    - Blanket bans on convictions are no longer allowed, and individual circumstances like length since conviction and severity must be considered
- Local policies:
  - Each Public Housing Authority has broad discretion to determine what offenses are disqualifying

## Urban & Suburban Initiatives

- Suburban Initiatives:
  - Dakota County:
    - Beyond Backgrounds: Provides landlords with \$2,000 in financial protection if they rent to tenants considered high risk, like those with a criminal record or credit score that would generally be disqualifying
- Urban Initiatives:
  - Seattle:
    - In April 2018, Seattle implemented a policy banning criminal background checks in tenant screening
  - Minneapolis:
    - Risk Mitigation Funds: Provides financial protection to landlords for damages to property
    - New University/Hennepin County research partnership on criminal record screening